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THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH

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RUSSELL GREER,  Plaintiff,  v.  JOSHUA MOON, <i>et al.</i>  Defendants.	<b>NOTICE OF PLAINTIFF'S ENCOURAGEMENT OF VIOLATION OF SUBPOENAS</b>  Case No. 2:24-cv-00421-DBB  District Judge David Barlow Magistrate Judge Jared C. Bennett
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NOW COME the Defendants, by and through undersigned counsel, and hereby give NOTICE that the Plaintiff appears to be taking active steps to encourage the recipients of lawful subpoenas in this matter to fail to cooperate with the legal process.

As indicated in attached Exhibit A, through diligent steps, undersigned counsel was able to coordinate with Nathan Greer to schedule a deposition and to accept service of a subpoena for that deposition via email on December 18, 2024. As indicated in the attached Exhibit B, undersigned counsel scheduled a deposition with Scott Greer and arranged with him to accept service of a subpoena via email mere hours ago on December 19, 2024. Both Subpoenas and Notice of Deposition were simultaneously served upon the Plaintiff Russell Greer.

Plaintiff Russell Greer, who has to date refused to indicate what the subjects of either Nathan Greer's or Scott Greer's knowledge and expected testimony are, immediately demanded that undersigned counsel provide a full list of questions which

would be posed in the depositions. Exhibit C. Upon undersigned counsel's refusal to provide Mr. Greer advanced foreknowledge of Defendants' entire deposition strategy, Russell Greer wrote to both Nathan Greer and Scott Greer to encourage them to refuse to cooperate with the deposition process. Exhibits D and E.

Undersigned counsel has had nothing but cordial and professional interactions with both of the subpoenaed witnesses. Undersigned counsel does not presently anticipate that the witnesses will refuse to cooperate based upon Plaintiff Russell Greer's demands or his scurrilous accusations against undersigned counsel. Nevertheless, to the extent that this behavior is further evidence of Russell Greer's absolute and continued refusal to allow the discovery process to play out in this case, and Russell Greer's continued escalation of the costs of the defense, this Court should be made aware.

DATED December 19, 2024

**HARDIN LAW OFFICE**

/s/ Matthew D. Hardin

**Matthew D. Hardin**  
Attorney for Defendants